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Mr. JUSTICE ASHHURST's CHARGE  
TO THE GRAND JURY FOR THE COUNTY OF MIDDLESEX.

THE following CHARGE delivered by Judge ASHHURST to the GRAND JURY for the County of MIDDLESEX, assembled in the Court of KING's BENCH, on MONDAY the 19th of NOVEMBER 1792, breathes so much the SPIRIT of the ENGLISH LAW, and is so well suited to CURB the LICENTIOUS SPIRIT of the TIMES, that it must be read with Heart-felt Satisfaction by every true ENGLISHMAN—to whose Perusal it is strongly recommended.

"Gentlemen of the Grand Jury,

I HAVE the honour to meet you upon the stated return of this solemnity for putting in execution the Criminal Law, and bringing such offenders to justice, as by their crimes have subjected themselves to the punishment which the Law ordains. Gentlemen, There is no Nation in the world that can boast of a more perfect System of Government than that under which we have the happiness to live, where no man is so high as to be above the reach of the Law, and no man so low as not to be within its protection; where the Power of the Crown (on the one hand) and the Liberty of the Subject (on the other) are both effectually secured, and at the same time kept within their proper limits.

"The Law of this Country only lays such restraints on the actions of individuals as are necessary for the safety and good order of the Community at Large; and such restraints are so far from being infringements on Civil Liberty, that Civil Liberty could not subsist without them: for if every man was left to the free and uncontrolled exercise of his own will (as in a state of Nature), no man could be secure in his person or property, and the weak would be a prey to the stronger hand; but in a state of Civil Government, each individual grows strong in the strength of the Community.

"Gentlemen, It is Civil Liberty that is the parent of Industry, and consequently of wealth; for in a state of Nature, as there was no security to property, no man thought of appropriation, further than for the momentary supply of his immediate necessities: but when men have formed themselves into a state of Civil Society, the consciousness which every man feels that his property is secure, induces the habits of industry; he does not bound his pursuits to the mere supply of his present wants, but looks forward to future ages; mutual wants put men upon finding out the means of mutual supply; this gives rise to trade and commerce, and extends men's connections beyond the narrow circles of their own immediate families and friends; and thus from mutual wants spring mutual happinesses.

"But, Gentlemen, as a preliminary step to procuring these enjoyments, it was necessary that mankind (on entering into Society) should give up into the hands of the governing power of the State, that species of Liberty which resulted from a perfect equality in all men, and where no man had a right to impose upon another a rule of conduct, but each man (as far as his strength would carry him through) followed the dictates of his own will. A state of society cannot subsist without subordination. There must be general rules laid down by the governing power of the State (wherever it resides) as the standard by which men's actions are to be measured and regulated, so as to prevent them from being injurious to the rights and happinesses of their fellow-citizens: And there must be a coercive power (residing in such hands as the Constitution has thought fit to place it) to enforce such laws and rules of action as the wisdom of the State has thought fit to prescribe. Happily for us, we are not bound by any laws but such as are ordained by the virtual consent of the whole kingdom, and which every man has the means of knowing: If men judged rightly, they would be persuaded that their happiness, as well as their security, depends upon a due observance and support of the laws. There will however (even in the best formed systems of Government) always be found men of selfish and corrupt principles, who forsake the paths of honest industry, and prefer the shorter road of supplying their wants and extravagancies by rapine and spoil; when that is the case, it becomes necessary for the coercive power of the State to lend its restraining hand, and to punish the offender: and if the offence is of so flagrant a nature, that there is no hope of the reformation of the offender, there it is necessary that the corrupted member should be cut off, to prevent others from being contaminated by his example.

"But (though crimes must not go unpunished) we may venture to boast, that (in the administration of the Criminal Law) no Nation has ever been so careful of the Lives and Liberty of the Subject, or has made such humane provisions to insure the most careful investigation of the imputed crime, as that in which we live. The ordaining a preliminary Inquest of Inquiry (by means of a Grand Jury, composed of men of the first rank and figure in the country), is a guard and caution unknown in any other country. And when they have so far given their sanction to the proceeding, as to pronounce it a matter fit for further inquiry, the privilege which the party accused enjoys, of having the matter tried before a Jury of his equals, with liberty to except to any of them that he may think likely to be prejudiced against him, is the most valuable birth-right of an Englishman. The Law is no less careful in protecting men's civil rights and properties; and, I hope I may add, that there is no Nation where the Law is more uprightly and impartially administered,

than in ours. For these blessings we are indebted to the wise and prudent form of our Constitution: and that security (which naturally results from well regulated laws) has been a spur to industry, and has occasioned our commerce to be extended beyond the example of former ages. And whoever will take the trouble of making the enquiry, will find, that in every manufacturing county in the Kingdom, the demand for their manufactures is greater than they are able to supply. Such is the flourishing state of the Kingdom, and such the happy fruits of Liberty and Peace.

"One should suppose there was not a man in the Kingdom who did not feel this, and who did not feel it with a grateful heart. And yet there are men of dark and gloomy hearts (men who have themselves neither fortune nor character to lose), who would wish to overturn the venerable fabric of our Constitution which has been the work and pride of Ages, which has been revered at home, and been the envy of surrounding Nations), and to give in return a state of universal Anarchy and Confusion.

"There have been publications in which the Author disclaims all ideas of Subordination, as contrary to the natural rights and equality of mankind, and recommends the example of a neighbouring Nation as a model for our imitation.

"Alas! Humanity is called upon to pity the deplorable situation of that country; but it is a very ill chosen example to hold forth to a Nation in the most flourishing state of happiness; and it is a pretty extraordinary request, that we would (with our eyes open) plunge ourselves into the same abyss of misery.

"One might naturally have expected, that doctrines so monstrous and nonsensical, would have been treated with the contempt they deserved, and would have sunk into oblivion.

"But when one finds that tenets so wild and extravagant are taken up by formed Societies of men, who meet for the express purpose of disseminating such doctrines, that they should hold regular correspondence with other similar Societies at home (as well as in a neighbouring Nation), it is time for every sober-minded man, and every well-wisher to the safety and prosperity of the Country (as much as in him lies), to endeavour to crush such unconstitutional and pernicious doctrines.

"Gentlemen, His Majesty (who is always anxious for and watchful over the safety and prosperity of his country, did some time ago issue his Royal Proclamation, which well deserves the attention of every good Subject; and I fear the circumstances which gave rise to that Proclamation are not yet so totally at an end, as to make it unreasonable for me to recal it to your recollection. Gentlemen, His Majesty in that Proclamation states, *That, &c.* (Here the Judge recited the principal Heads of the Proclamation).

"Gentlemen, I cannot help expressing the happiness I feel, that his Majesty's Proclamation has been received by his Subjects with all due marks of respect and attention; and there are scarce any parts of the Kingdom that have not (in their Addresses to his Majesty) expressed their hatred and abhorrence of such pernicious doctrines, and shewn that they are not to be duped out of their happiness by the shallow artifices of such men, who (having nothing to lose) would wish to enrich themselves by the destruction of all Government, and the substituting anarchy and confusion in the place of it.

"Gentlemen, The officers of the Crown have taken all due pains to bring such offenders to Justice as have come to their knowledge, and I have no doubt but such offenders will meet with due punishment for their crimes. But as the evil has not yet ceased, and these fowers of sedition are still abroad, we ought not to content ourselves with merely wishing well to the prosperity of the Kingdom, but every honest man and well-wisher to his country ought to stand forth, and shew as much zeal and activity in supporting the cause of Order and good Government, as these wicked Emisaries do in endeavouring to subvert it.

"Gentlemen, I trust I am addressing myself to a Grand Jury, composed of men, who have sense and understanding enough to know how to set a due value on the blessings they enjoy. And therefore I earnestly recommend it to such of you as are in a private station, to endeavour by your example to discountenance all such unconstitutional tenets; and to such of you as are invested with the office of Magistracy, that you would endeavour to bring all such offenders to justice, who openly avow, and by printed publications endeavour to justify, such seditious and unconstitutional doctrines as I have above alluded to, and are noticed in his Majesty's Proclamation.

"Gentlemen, I shall not take up any more of your time, but recommend it to you with all dispatch to proceed on the public service you are engaged in; and I doubt not but that you will discharge your duty in a manner honourable to yourselves, and such as will merit the thanks of your country."

On the last day of Term (Michaelmas 1792) the Grand Jury of the County of Middlesex appeared in the Court of King's Bench, at Westminster-Hall, for the purpose of returning Mr. JUSTICE ASHHURST their unanimous thanks for the above excellent Charge; but his Lordship being absent, they were received by Mr. Justice Grose, the only Judge then present, who politely promised to convey them to his Lordship.

[Price One Penny.]